58 are independent.

January 22, 2001 Information Disclosure Statement:

The Examiner has not yet acknowledged the form PTO-1449, which was submitted with an Information Disclosure Statement filed on January 22, 2001. Photocopies of the same, including a photocopy of the date-stamped postcard, were submitted with the Amendment filed on October 15, 2003. Photocopies of the same are again submitted herewith. The Applicants respectfully request that the Examiner sign, acknowledge, and return the same to the undersigned.

Claim Rejections:

In the Final Office Action mailed on December 13, 2002, claims 53-55 remain rejected under 35 U.S.C. § 102(b) as being anticipated by Shackelford, and new claim 58 is also rejected thereunder. The Examiner responded to the Applicant's arguments, which were set forth in the Amendment that was filed on October 15, 2002, by citing Figure 1 and column 4, line 5 ("a graphical representation") of Shackelford as disclosing a GUI.

However, the "graphical representation" cited by the Examiner has nothing to do with the system discussed by Shackelford, and is only standard form language used to introduce a drawing in a patent specification. Specifically, Shackelford states that "Fig. 2 presents a graphical representation of an object 202" (Shackelford, col. 4, lines 5-6). The term "object" is defined in Shackelford as "a data structure" (Shackelford, col. 1, lines 46-48).

In contrast, the term "graphical user interface" is commonly understood to mean a "graphics-based user interface that incorporates icons, pull-down menus and a mouse" (see, for example, http://www.techweb.com/encyclopedia/defineterm?term=gui, which was accessed on January 22, 2003, a photocopy of which is included herewith as a courtesy to the Examiner).

As stated in the Amendment filed on October 15, 2002, Shackelford only makes a passing reference to application program 130 (Shackelford, col. 3, lines 42-43). Although users interact with computer program 138, which contains application program 130 (Shackelford, col. 3, lines 61-62), the interaction is not discussed any further in Shackelford, nor is that interaction even relevant to the rest of the system discussed in Shackelford, which is contained entirely in

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an object-oriented programming environment. Furthermore, the term "graphical representation" as used in Shackelford refers to object 202 and not application program 130. Clearly, IBM MVS (Shackelford, col. 3 lines 65-67) is not a GUI.

Therefore, claims 53, 55, and 58 are patentably distinguishable over Shackelford in their current form. In addition, claim 54 is patentably distinguishable over Shackelford based on its dependency from claim 53.

Withdrawal of the foregoing rejections is respectfully requested.

There being no further objections or rejections, it is submitted that the application is in condition for allowance, which action is courteously requested. Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Response, please charge the same to our Deposit Account No. 19-3935.
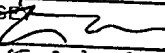
Respectfully submitted,

STAAS & HALSEY LLP

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